

**IN THE U.S. DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION
COLUMBUS, OHIO**

CADEN COX, by and through his next friend	:	
and mother, MARI COX	:	
	:	
Plaintiff,	:	JUDGE SARGUS
	:	MAGISTRATE JOLSON
v.	:	CASE NO: 2:23-cv-1598
	:	
HOCKING COLLEGE BOARD OF	:	
TRUSTEES, et. al.	:	
	:	
Defendants.	:	

**APPLICATION FOR ENTRY OF DEFAULT AGAINST
DEFENDANT MATTHEW KMOSKO**

To the Clerk of the U.S. District Court for the Southern District of Ohio, Eastern Division:

Plaintiff Caden Cox (“Plaintiff”) hereby requests, pursuant to Rule 55(a) of the Federal Rules of Civil Procedure, that the Clerk enter the default of Defendant Matthew Kmisko (“Defendant”) for failure to plead or otherwise defend against this action (“Action”) in a timely manner.

As shown by the proof of service previously filed with this Court, the Defendant was served pursuant to Rule 4 of the Federal Rules of Civil Procedure on July 7, 2023, at 10:10 a.m. (EST). The applicable time limit for the above-named Defendant to appear or otherwise respond to this Action under Rule 12 of the Federal Rules of Civil Procedure expired on July 28, 2023.

The above-named Defendant has failed to plead or otherwise respond to the complaint.

Respectfully submitted,

/s/ Mark A. Weiker, Esq.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on February 14, 2024, copies of the foregoing Application for Entry of Default Against Defendant Matthew Kmosko were filed electronically and notice of this filing will be sent to all parties by operation of the Court's ECF system, except that a copy of the foregoing will be sent to the following by ordinary U.S. mail on February 14, 2024:

Matthew Kmosko
110 W. Washington Street, Apt. 104
Nelsonville, OH 45764
Defendant

/s/ Mark A. Weiker, Esq.

Mark A. Weiker (0086413)